

DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES**

WASHINGTON, D.C. 20548

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FILE: B-209197**DATE:** January 17, 1983**MATTER OF:** S.Z. Mansdorf and Associates**DIGEST:**

Protester's contention that agency inadequately determined reasonableness of awardee's proposed level of effort estimate is without merit where record shows that agency conducted in-depth evaluation and comparison of all offerors' cost/business and technical proposals and found that awardee's highest rated technical proposal best suited the Government's needs.

S.Z. Mansdorf and Associates (Mansdorf) protests the award of a cost-reimbursement contract with a ceiling of \$29,500 to Technology Research and Development, Inc. (TECHRAD), issued by the Department of the Interior, National Park Service (NPS), under request for proposals (RFP) No. MWR-2-48. The RFP solicited offers to fulfill an NPS requirement to obtain information about the extent of previous oil and gas explorations within the Cuyahoga Valley National Recreation Area in Ohio.

We deny the protest.

Mansdorf initially raised four arguments with regard to the award of the contract to TECHRAD. However, in its letter to this Office of November 19, 1982, Mansdorf appears to have abandoned all but one of its contentions. Specifically, Mansdorf states that the NPS report failed to adequately address its assertion that TECHRAD's proposal did not include a reasonable number of technical labor hours to complete required tasks as listed in the RFP.

Mansdorf contends that the required work cannot be completed in the estimated 858 labor hours as proposed by TECHRAD. Instead, Mansdorf asserts that its offer, which proposed an estimated 1,288 labor hours, would best satisfy the project requirements. Mansdorf attempts to support this contention by submitting level of effort data from and opinions of individuals involved in similar searches. Mansdorf concludes that the difference in the proposed labor

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hour estimates provided an unfair advantage to TECHRAD and that this discrepancy should have been discovered in the technical evaluation of TECHRAD's proposal.

The NPS disputes Mansdorf's allegations. The NPS, in its report, states:

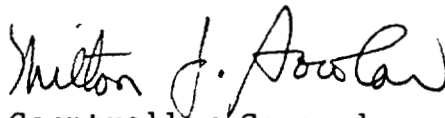
"We cannot accept the protester's complaint that the winning proposal did not include a reasonable number of technical labor hours; as outlined above, the top three proposals (in technical rank) established a general consensus that some 500-600 hours should be required to accomplish the field work through well site evaluation. All three of these proposals were submitted by experienced and highly qualified firms * * *."

The report further explains that the contracting officer, in conjunction with the Technical Evaluation Committee (TEC), established that the top three proposals contemplated a reasonably consistent level of effort and that this consistency lent credence to the program of work presented by the top-rated proposal, TECHRAD.

Finally, NPS points out that since the solicitation and resulting contract dealt with field conditions which involved many unknowns and a ceiling price of \$29,500, price competition was essentially precluded. Therefore, in the absence of meaningful price competition and in light of the fact that all 12 offerors received the maximum score (10 points out of 150) on the cost factor evaluation of their proposals, TECHRAD, the firm submitting the top ranking technical proposal, was tentatively selected for the award. A second review of TECHRAD's cost/business proposal was conducted to confirm the initial selection.

Since the record shows that NPS evaluated each offeror's labor hour estimate individually and then compared these estimates with the estimates submitted by the three top technically rated firms and, on this basis, as well as upon the advice of its expert technical personnel, determined that TECHRAD's estimates were reasonable and best suited to the Government's needs, we find that Mansdorf's contention that NPS inadequately evaluated TECHRAD's proposal is without merit. Bethlehem Steel Corporation, B-187156, January 4, 1977, 77-1 CPD 4.

The protest is denied.

for 
Comptroller General
of the United States